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8 pages, including cover page.**TELECOPIER TRANSMITTAL SHEET**TO: Examiner Tracy Ann VivlemoreTELECOPIER TELEPHONE NUMBER: TO: 703-872-9306FROM: THOMAS TRIOLO TELEPHONE NO. (908) 298-2347

SCHERING-PLOUGH CORPORATION
PATENT DEPARTMENT K-6-1, 1990
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UNITED STATES OF AMERICA

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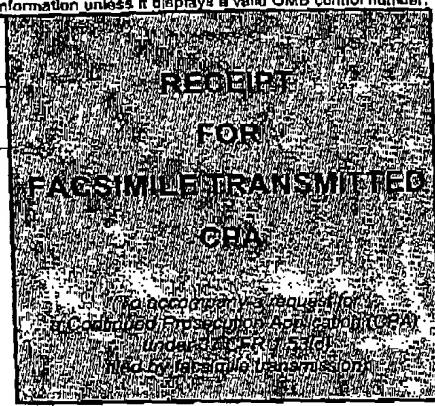
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Examiner Tracy Ann Vivlemore
Assistant Commissioner for Patents
Washington, D.C. 20231



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2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

a. For prior application

Application No.:	09/758,759
Filing Date:	January 11, 2001
Title:	Evernomicin Biosynthetic Genes
Attorney Docket No.:	ID0983K
First Named Inventor:	Thomas J. Hosted

b. For instant CPA application

New Attorney Docket No.:
(If applicable)

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To: Examiner Tracy Ann Vivlemore Fax: 703-872-9306

From: Thomas Triolo Date: 06/24/04

Re: 09/758,759 Pages: 6

CC:

Urgent For Review Please Comment Please Reply Please Recycle

Examiner Vivlemore:

Further to your telephone message to me, today, attached to this transmission is a corrected Amendment and Response to the May 14, 2004 Restriction Requirement. The corrected Amendment and Response lists the cancelled claims in the "Listing of the Claims" section.

Regards,

Thomas Triolo

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Appl. No. : 09/758,759
Applicant : Thomas J. Hosted
Filed : January 11, 2001
TC/AU : 1635
Examiner : Tracy Ann Vivlemore
Confirmation No. : 9474
Docket No. : ID0983K US

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the office action mailed in the above-referenced application on May 14, 2004.

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